

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
DIVISION

Norberto Atencio

versus

CIVIL ACTION NO. 3:20-cv-23

Gulf Stevedoring Services
1601 Harborside Dr,
Galveston, TX 77550

EMPLOYMENT DISCRIMINATION COMPLAINT

1. This action is brought under Title VII of the Civil Rights Act of 1964 for employment discrimination. Jurisdiction is conferred by Title 42 United States Code, Section § 2000e-5.

2. The Plaintiff is:

Norberto Atencio

Address:

2420 Winnie St.

Galveston, TX 77550

County of Residence:

3. The defendant is:

Gulf Stevedoring Services

Address:

1601 Harborside Dr, Galveston,
Texas 77550 . 409-763-5858.

☐ Check here if there are additional defendants. List them on a separate sheet of paper with their complete addresses.

4. The plaintiff has attached to this complaint a copy of the charges filed on _____ with the Equal Opportunity Commission.

5. On the date of _____, the plaintiff received a Notice of Right to Sue

letter issued by the Equal Employment Opportunity Commission; a copy is attached.

The U.S. Supreme Court ruled unanimously on June 3, 2019, in Fort Bend County, Texas v. Davis, that federal courts may hear Plaintiff claims of discrimination brought under Title VII, even if those claims were not brought to the U.S. Equal Employment Opportunity Commission (EEOC) or state agency equivalent.

6. Because of the plaintiff's:

- (a) ☐ race
- (b) ☐ color
- (c) ☐ sex
- (d) ☐ religion
- (e) ☒ national origin,

the defendant has:

- (a) ☒ failed to employ the plaintiff
- (b) ☒ terminated the plaintiff's employment
- (c) ☒ failed to promote the plaintiff
- (d) ☒ other: Discrimination in hiring under ADA Act
Disabilities, FLSA Act, FMLA Act.

Title I, II, III and Title VII

42 U.S. Secs. 2000e-1, 2000e-17, 2000e-16).

7. When and how the defendant has discriminated against the plaintiff:

on June 2019. Gulf Stevedor Services. Send.

email to Local 20. Second. Business Henry Torres.

they says. to not give me a job. because I have Medical
Restriction

8. The plaintiff requests that the defendant be ordered:

- (a) ☒ to stop discriminating against the plaintiff
- (b) ☒ to employ the plaintiff
- (c) ☒ to re-employ the plaintiff
- (d) ☒ to promote the plaintiff

(e) ☒ to Intentional/ Discrimination
U.S.C. 2000e-2000e-17. Compensation for
damages, benefits and that;

(f) ☒ the Court grant other relief, including injunctions, damages, costs and attorney's fees.

Norberto Alencar - [Signature]
(Signature of Plaintiff)

Address: 2420 Winnie st.
Galveston. TX. 77550.

Telephone: 832. 818. 5110.

Appendix B

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS

DIVISION

Norberto Alencar

versus

Gulf Stevedoring Services

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CIVIL ACTION NO. _____

1601 Harborside Dr.
Galveston, TX 77550 (409) 763-5858

ORIGINAL COMPLAINT

I Regularly do work for Gulf Stevedoring Services. the Company has work 4 days a week. My skills give me the opportunity to take jobs with this company. Also because of my seniority. But since May, 18, 2019. this company sent a email to Local 20 who is responsible for making me hire. Telling them they could not accept me to work. with my medical restrictions. After I contacted the manager: via email and did not answer. I personally went to talk to the Manager (Mike Lynch). And he told me the same thing. that they had a signed contract. that said. they could not contract. people with medical restrictions. he never showed it to me. But he told me the company (WGM A.) West Gulf Maritime Association. was responsible for those rules. I told him that those Discriminatory rules do me harm. because I had strong need to work. But he told me that he could not do anything.